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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 DUSTIN ANDERSON,

9 Petitioner,

2:15-cv-02245-RFB-PAL

10 vs.

ORDER

11 DWIGHT NEVIN, *et al.*,

12 Respondents.
13 _____/

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15 In this habeas corpus action, initiated on November 25, 2015, by Nevada prisoner Dustin
16 Anderson, the court, on December 11, 2015, granted Anderson leave to proceed *in forma pauperis*,
17 ordered his habeas petition served on the respondents, and set a deadline -- February 9, 2016 -- for the
18 respondents to appear and respond to the petition. *See* Order entered December 11, 2015 (ECF No. 3).
19 In that order, the court also denied Anderson's motion for appointment of counsel. *See id.*

20 On December 31, 2015, Anderson filed a motion for reconsideration (ECF No. 5), requesting
21 reconsideration of the denial of his motion for appointment of counsel.

22 Under Federal Rule of Civil Procedure 60(b), the court may relieve a party from an order or
23 judgment for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly
24 discovered evidence; (3) fraud, misrepresentation, or other misconduct by an opposing party; (4) the
25 judgment is void; (5) the judgment has been satisfied, released, or discharged, or a prior judgment upon
26 which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment

1 should have prospective application; or (6) any other reason justifying relief.

2 *See* Fed. R. Civ. P. 60(b).

3 Upon review of the record, the Court finds that it denied the petitioner's request for appointment
4 of counsel inadvertently. The Court had intended to grant the motion for appointment of counsel.

5 **IT IS THEREFORE ORDERED** that petitioner's Motion to Reconsider (ECF No. 5) is
6 **GRANTED.**

7 **IT IS FURTHER ORDERED** that the Federal Public Defenders' Office is appointed to
8 represent the petitioner in this case. A copy of this Order shall be served on the Federal Public Defender
9 in this District by the Clerk of the Court.

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11 Dated this 5th day of February, 2016.

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE